

In re Patent Application of:
Adrian F. Ionescu

Application No.: 10/595,415

Confirmation No.: 8973

Filed: April 17, 2006

Art Unit: 2821

For: BALLAST PROTECTING DEVICE

Examiner: D. K. Wong

RESPONSE TO DECISION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Decision dated October 23, 2009 concerning the Declaration filed in this application.

In response to the request for a new Declaration, enclosed is a further Declaration by Andrei. E. Ionescu, the sole heir of the estate of his father, Adrian Florentine Ionescu, that states the citizenship of Adrian Florentine Ionescu, the deceased inventor.

It is therefore requested that the enclosed Declaration be accepted and that this application be deemed complete.

In the event the Examiner believes an interview might serve in any way to advance the prosecution of this application, the undersigned is available at the telephone number noted below.

The Director is hereby authorized to charge fee due with this paper to our Deposit Account No. 22-0185, under Order No. 22148-00004-US2.

Respectfully submitted,

Dated: December 4, 2009

By Burton A. Amernick
Burton A. Amernick
Registration No.: 24,852
CONNOLLY BOVE LODGE & HUTZ LLP
Customer 30678
Washington, DC 20006
(202) 331-7111
(202) 293-6229 (Fax)
Attorney for Applicant

DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)		Attorney Docket Number	22148-00004-US2
		First Named Inventor	Adrian F. Ionescu
COMPLETE IF KNOWN			
		Application	10/595,415
		Filing Date	April 17, 2006
		Art Unit	2821
		Examiner Name	D. K. Wong
<input type="checkbox"/> Declaration Submitted With Initial Filing	<input checked="" type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)	OR	

I hereby declare that:

I believe the inventor named below to be the original and first inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

BALLAST PROTECTING DEVICE

Title of the Inventory

the specification of which

is attached hereto

28

as United States Application Number or PCT International

Application Number PCT/US2004/034097 and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
			<input type="checkbox"/>	<input type="checkbox"/> YES	<input type="checkbox"/> NO
			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	

Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

I hereby claim priority benefits under Title 35, United States Code §119(e), of any United States provisional patent application(s) listed below:

No such provisional applications have been filed.

Such provisional applications have been filed as follows:

Application Number	Date of Filing	Priority Claimed Under 35 USC 119		
		YES	NO	
60/481,520	October 17, 2003	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

I hereby declare the below under Title 35, United States Code, §120 of the United States application(s) listed below and, further as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56 which becomes available to me between the filing date of the prior application and the national or PCT international filing date of this application.

No such U.S./PCT applications have been filed. Such U.S./PCT application have been filed as follows:

Application Number	Date of Filing	Serial Number or filing reference

Direct all correspondence to: The address associated with Customer Number: 30676 Correspondence address below

Name

Address

City

State 20006

Country

Postal Code

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like are made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such wilful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF ESTATE INVENTOR: A power has been filed for the named inventor

Given Name (First and middle name) Adrian Florentine Family Name or Surname Jonescu

Inventor's Signature Deceased Date

Residence City State County Country United States

Residence Address City State Zip County

NAME OF SIGNATORY signing on behalf of Adrian F. Jonescu

Given Name (First and middle name) Andrei E. Family Name or Surname Jonescu

Signature  Date 1/25/2009

Residence City State County Country Mount Prospect IL United States United States/Romania

Address 1500 S. Busee Rd. Apt. 2-D

City State Zip County Mount Prospect IL 60056 United States

Relationship to Inventor Sole heir of the estate of Adrian Florentine Jonescu